

Lummi Nation Child Support Program

Effective Date	February 2003
Tribal Program Contact	Lummi Nation Child Support Program (LNCSP) Karen Burke, Director, Telephone (360) 384-2214 2616 Kwina Road, Bellingham WA 98226 Main Telephone (360) 384-2326, Fax (360) 312-9192 Email karen@lummi-nsn.gov
DCS Field Office Contact	DCS Region 3 Everett FO, MS: N31-2 Ted Thornton, Tribal Liaison, Email tthornto@dshs.wa.gov Physical Address: 5415 Evergreen Way, Everett WA Mailing Address: Centralized Mail Processing, PO Box 11520, Tacoma, WA 98411 Telephone (425) 438-4842, Fax (425) 438-4957, 1-800-729-7580
Child Support Code and Policy	Title 11 – Lummi Code of Laws, Domestic Relations Code Lummi Nation Child Support Program Policies and Procedures
Services Provided	Establishment of paternity, establishment of child support (including cases where support is being established as part of a divorce or separation), modification of child support orders, enforcement of child support orders, responding to any of the above, location of a person or the assets of a person subject to an order establishing child support. If a case is within the jurisdiction of the Tribal Court, the LNCSP will identify any information or services needed from other jurisdictions and make appropriate inquiries or referrals.
Services the Tribe may request from DCS, per their CSE Plan	<u>LNCSP may send requests to DCS Headquarters Central Services for:</u> <ol style="list-style-type: none"> 1. Locate services (LNCSP will use the 18-624, Locate Referral Sheet-Tribal) 2. Withholding of unemployment or state labor and industries benefits (LNCSP will use a modified version of the CS Transmittal #1) <p>IRS Certification - This process would need to be negotiated with DCS.</p> <p><u>LNCSP may send requests to the Region 3 FO for:</u></p> <ol style="list-style-type: none"> 3. Genetic testing on a paternity case– When the alleged father is not under the jurisdiction of the Tribal Court (LNCSP will use a modified version of the CS Transmittal #1) 4. Drivers license suspension – (LNCSP will use a modified version of the CS Transmittal #1) 5. Copies of state agency's records when it has financial information used in previous calculations of support (LNCSP can request this by telephone or written request)
Jurisdiction (per the CSE Plan)	<ol style="list-style-type: none"> 1. Over any action to determine and establish child support brought under Title 11. The action may be joined with an action for divorce, dissolution, annulment, declaration of invalidity, separate maintenance, or other civil action where child support may be an issue. 2. Over any person who is a member or eligible to be a member of the Lummi Nation and who is alleged to be the parent of a Lummi child or child residing on the Lummi Reservation.

	<ol style="list-style-type: none"> 3. Over any person residing within the boundaries of the Lummi Reservation and who is the parent of a child residing on the Reservation. 4. Any person who has sexual intercourse within the boundaries of the Lummi Reservation with a person who is a member or is eligible to become a member of the Lummi nation with respect to a child who may have been conceived by that act of intercourse. In addition to any other method provided by statute, personal jurisdiction may be acquired by personal service of summons outside the Reservation or by service in accordance with the Tribal Code as now and hereafter amended.
<p>DCS Referrals Sent to the Tribe</p>	<p>The first phase of referrals sent to the Tribe includes existing DCS cases in Region 3, meeting one or more of the following conditions:</p> <ol style="list-style-type: none"> 1. Paternity cases involving a member of the Lummi Nation. 2. Cases in which a Lummi Nation Tribal Court Order exists and the parties are in Washington State. 3. Child support establishment cases, where the NCP, CP or child is a Lummi Nation member. 4. Enforcement cases where the NCP works for the Tribe, Tribal enterprise or Indian-owned business on the reservation. 5. Other cases agreed to by the Region 3 Tribal Liaison and the LNCSP. <p>DCS Region 3 Tribal staff and Lummi Nation CSE staff will work together to determine the appropriate forum for other cases. They will consider case specific issues, including: location of the parties, location of the asset or income, tribal membership, current status of the case, employment history, best interest of the child(ren), etc.</p>
<p>Referral Checklist</p>	<ol style="list-style-type: none"> a) Child Support Enforcement Transmittal #1, DSHS 18-570 b) One certified copy of all orders (Exception: Not needed if it is a Lummi Tribal Court Order) c) Debt calc summary and one certified month by month debt calculation d) Other supporting documentation, as appropriate (i.e. Paternity Affidavit)
<p>Actions the Tribe will take after receiving a Child Support Transmittal</p>	<p>When a non-Lummi governmental agency refers a case to the LNCSP, the LNCSP shall file a Request for Recognition of a Foreign Order in the Lummi Nation Tribal Court. When the court issues the Recognition of Foreign Judgment, the LNCSP shall proceed with enforcement as it would with any other order issued by the Lummi Nation Tribal Court.</p>
<p>Coop. Agreement with DCS</p>	<p>No formal agreements at this time</p>
<p>Tribal TANF Program? (Y/N)</p>	<p>No</p>